

Late Filing

Dear FCC Commissioners & Staff:

My name is Merlin Bush and I am the CFO and President of Intouch Communications, Inc., in Flint, MI. We began business in 1998 and presently have 3200 customers, most of whom live and work in Lapeer and Genesee Counties. We also do a fair amount of web hosting for customers throughout the nation.

We offer many services that our local phone company, Ameritech, does not. Services like free Internet training classes at our customer's homes, and support to our customers unparalleled by the big guys. We also helped some of our local charities and other non-profit organizations get online at no cost.

When we opened for business we started, as many ISPs did, with a stack of ordinary dial-up modems and a fistful of phone lines from Ameritech. Of course getting phone lines from Ameritech was always a problem, and we frequently lost customers when our modem lines became busy because Ameritech was late delivering phone lines we had ordered well in advance.

Nowadays we have moved on from ordinary phone lines to digital PRI's (Primary Rate ISDN), and the second a CLEC came to town, we moved all of the business we could over to that company instead. Since then the price has gone down, but more importantly, service has improved (prices are now starting to rise again).

Unfortunately, I can't say the same about DSL. The CLEC we work with has chosen to enter the DSL business (but not offer it to other ISPs), and the expansion of some of the 'Data CLECs' has stopped. If we want to offer Internet access over DSL to our customers, we must do it through Ameritech, and the prices Ameritech has offered us makes it impossible for us to compete. We are expected to pay \$40 per month for the data line to reach the customer, and turn around and compete with Ameritech, which is offering reconfigured phone lines, Internet access and free \$200 modems, for \$50 per month. There is no way we can offer this product without losing money, and so we have stayed out of the DSL market.

Unfortunately this also means that we are losing customers, either to Ameritech for DSL or to the cable company, since more and more of our customers are demanding faster access and if we can't provide it, they'll go to someone who will. If that trend continues, Intouch Communications, Inc. will not be around much longer.

I do not have the resources to fight the tariff that Ameritech has filed that allows it to get away with charging ISPs a wholesale rate of \$40 for access to the network. I believe the true cost is probably a great deal less than that. Ameritech benefits in, in some way, every time Intouch adds an Internet customer. If we add a dial-up customer, Ameritech gets a phone line out of it. If we sell an ISDN, Ameritech gets an ISDN line out of it. If we sell a T1, Ameritech again has to deliver the circuit and charges the customer directly for it. We are a non-paid sales person for Ameritech.

I do not believe that the answer to this problem is simply to allow Ameritech to stop selling access to the network at all, or to take away the requirements that are supposed to be preventing Ameritech from discriminating. The answer is for the FCC to make a good faith effort to uncover the discrimination (whether it is in pricing or provisioning) and put an end to it. Until the FCC has demonstrated that it is willing to do this for ISPs, any talk about lifting the rules for monopolies like Ameritech is premature.

I hope that you will take my comments seriously - I am sending a copy of this letter to my Congressman as well.

Respectfully,

Merlin Bush, President  
Intouch Communications, Inc.  
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Sincerely,

Merlin Bush  
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